

CHAPTER 1033**PERFORMANCE OF STUDENT HEALTH SERVICES***H.F. 2415*

AN ACT relating to the performance of special health services or intrusive nonemergency medical services for students by nonadministrative personnel.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. NEW SECTION. 280.23 STUDENT HEALTH SERVICES.

The board of directors of each public school district and the authorities in charge of each nonpublic school shall not require nonadministrative personnel to perform any special health services or intrusive nonemergency medical services for students unless the nonadministrative personnel are licensed or otherwise qualified and have consented to perform the services.

Approved April 6, 1992

CHAPTER 1034**PROCEDURES UPON CLOSING OF POLLS***S.F. 2114*

AN ACT relating to procedures upon the closing of polls using electronic voting or tabulating systems.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 52.32, subsections 1, 2, and 3, Code 1991, are amended by striking the subsections and inserting in lieu thereof the following:

1. At the time for closing the polls, or as soon thereafter as all persons entitled under section 49.74 to do so have cast their votes, the precinct election officials in each precinct where an electronic voting system or an electronic tabulating system is in use shall secure the system against further voting. The precinct election officials shall certify the number of declarations of eligibility signed as required by section 49.77, and record that number on the tally sheet with the number of special, unused, spoiled, and unvoted ballots cast, with each number recorded separately. The numbers shall be used to determine whether the number of ballots cast as recorded in the electronic precinct reports varies from the number of declarations of eligibility. If so, that fact shall be reported in writing to the commissioner by the counting center officials, together with the number of ballots varying from the number of declarations of eligibility and the reason for the variance, if known.

2. The precinct election officials shall affix a seal upon the ballot container. The precinct election officials shall then each affix their signatures to a statement attesting that the requirements of this section have been met and the time the ballot container is removed from the precinct polling location for delivery to the counting center pursuant to section 52.37. The statement shall be returned to the commissioner with the election register as required by section 50.17.

Sec. 2. Section 52.37, subsection 1, Code 1991, is amended to read as follows:

1. The sealed ballot container from each precinct shall be delivered to the counting center by two of the election officials of that precinct, not members of the same political party, who shall travel together in the same vehicle and shall have the container under their immediate joint control until they surrender it to the commissioner or the commissioner's designee in

charge of the counting center. The commissioner or designee shall, in the presence of the two precinct election officials who delivered the container, enter on a record kept for the purpose that the container was received, the time the container was received, and the condition of the seal upon receipt.

Approved April 9, 1992

CHAPTER 1035

UNIFORM CONSUMER CREDIT CODE — RELIANCE ON RULING

S.F. 2132

AN ACT relating to the liability of a creditor under the consumer credit code for an act done or omitted in conformity with a declaratory ruling of the administrator.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 537.6104, subsection 4, Code Supplement 1991, is amended to read as follows:

4. Except for refund of an excess charge, no liability is imposed under this chapter for an act done or omitted in conformity with a rule or declaratory ruling of the administrator, notwithstanding that after the act or omission the rule or declaratory ruling is amended or repealed or determined by judicial or other authority to be invalid for any reason.

Approved April 9, 1992

CHAPTER 1036

OFFICER'S OR EMPLOYEE'S INTEREST IN CITY CONTRACTS — EXCEPTION

S.F. 2134

AN ACT relating to a city officer's or employee's permissible interest in a franchise agreement.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 362.5, Code Supplement 1991, is amended by adding the following new subsection:

NEW SUBSECTION. 12. Franchise agreements between a city and a utility and contracts entered into by a city for the provision of essential city utility services.

Approved April 9, 1992